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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

2008 JUN -9 AM 9:51

UNITED STATES OF AMERICA,	Magistrate Docket No.
Plaintiff,	'08 MJ 1785 KNH
v.	COMPLAINT FOR VIOLATION OF:
Jose Guadalupe CARRILLO-Ala Torre,	Title 8, U.S.C., Section 1326 Deported Alien Found in the United States
Defendant	

The undersigned complainant, being duly sworn, states:

On or about **June 8, 2008** within the Southern District of California, defendant, **Jose Guadalupe CARRILLO-Ala Torre,** an alien, who previously had been excluded, deported and removed from the United States to **Mexico**, was found in the United States, without the Attorney General or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8 United States Code, Section 1326.

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

SIGNATURE OF COMPLAINANT
James Trombley
Senior Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 9th DAY OF **JUNE, 2008**

Ruben B. Brooks
UNITED STATES MAGISTRATE JUDGE

CONTINUATION OF COMPLAINT:
Jose Guadalupe CARRILLO-Ala Torre

PROBABLE CAUSE STATEMENT

On June 7, 2008, at approximately 11:50 PM, United States Border Patrol Agents C. Higbee and A. Webster were conducting line watch operations in the Imperial Beach area of operations. The Agents responded to a radio request from the Infrared Scope Operator regarding an individual running northbound from the International Border Fence near an area know as "Whiskey 8." This area is approximately two miles west of the San Ysidro, California, Port of Entry and approximately 100 yards north of the United States/Mexico International Border.
Upon responding to the area the Agents observed an individual approximately 150 yards north of the International Boundary. The Agents identified themselves as Border Patrol Agents, and conducted an immigration inspection. The individual, later identified as the defendant **Jose Guadalupe CARRILLO-Ala Torre**, freely admitted to being a citizen and national of Mexico, with no immigration documents that would allow him to be in or remain legally in the United States. The defendant was placed under arrest and transported to the Imperial Beach Border Patrol Station for processing.

Routine record checks of the defendant revealed a criminal and immigration history. The defendant's record was determined by a comparison of his criminal record and the defendant's current fingerprint card. Official immigration records of the Department of Homeland Security revealed the defendant was previously deported to **Mexico** on **May 17, 2007** through **San Ysidro, California.** These same records show that the defendant has not applied for permission from the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security, to return to the United States after being removed.